

IN THE CLAIMS:

Please cancel claims 20-24.

Please amend claims 1, 8-10, 12-19 and 25-27 as indicated below.

Please add new claims 28-33 as indicated below.

A complete listing of the claims and their status follows.

1. (currently amended) An implantable device for insertion into a cavity in a vertebral body comprising:

a ~~flexible~~ container having a wall membrane;

said wall membrane defining an interior and an exterior of said container;

~~said wall having~~ and at least one hole connecting the interior with the exterior;

and

a fill tube coupled to said container at a location proximate an edge of said container for injecting a flowable ~~or fluid~~ bone filler material into said container such that said bone filler leaves said interior and enters said vertebral body.

2. (original) The device of claim 1 wherein said container is substantially tubular in shape.

3. (original) The device of claim 1 wherein said wall membrane is elastic.

4. (original) The device of claim 1 wherein said wall membrane is inelastic.

5. (original) The device of claim 1 wherein at least one of said wall membranes is woven.

6. (original) The device of claim 1 wherein said wall membrane is porous.

7. (original) The device of claim 1 wherein said wall membrane is not porous.

8. (currently amended) The device of claim 1 further comprising: a septum located adjacent said container and in fluid communication with said interior for permitting the sealing entry of a filling device.

9. (currently amended) The device of claim 1 wherein said membrane is ~~opaque to x-ray and is therefore~~ radiopaque.

10. (currently amended) The device of claim 1 wherein said membrane is ~~transparent to x-rays and is therefore~~ radio-translucent.

11. (original) The device of claim 1 further comprising a delivery tube, wherein said container is everted within said delivery tube.

12. (currently amended) An implantable device for insertion into a cavity in a vertebral body comprising:

~~a container including;~~ an upper wall member;
a lower wall member;

a ~~circumferential~~ circumferential wall member connecting said upper wall member and said lower wall member; and

a set of ribs extending ~~from~~ between said upper wall member to and said lower wall member, ~~thereby~~ forming a set of channels compartments therebetween.

13. (currently amended) The device of claim 12 wherein said upper and lower wall ~~member~~ members have a substantially horseshoe shape.

14. (currently amended) The device of claim 12 wherein said upper and lower wall ~~member~~ members have a substantially triangular shape.

15. (currently amended) The device of claim 12 wherein said upper, lower and circumferential wall members define a container that is substantially cylindrical in shape.

16. (currently amended) The device of claim 12 wherein at least said circumferential wall membrane member is elastic.

17. (currently amended) The device of claim 12 wherein at least said circumferential wall membrane member is inelastic.

18. (currently amended) The device of claim 12 wherein at least one of said upper, lower and circumferential walls ~~wall membranes~~ is woven.

19. (currently amended) The device of claim 12 wherein at least one of said upper, lower and circumferential walls ~~wall membrane~~ is porous.

Claims 20-24 (cancelled)

25. (currently amended) An implantable device for insertion into a cavity in a vertebral body comprising: ~~a~~ an expandable container including; an upper wall member; ~~a~~ a lower wall member; ~~and a circumferential~~ circumferential wall member; ~~said~~ said wall members together defining a single chamber.

26. (currently amended) The device of claim 25 wherein said upper and lower wall ~~member~~ members have a substantially horseshoe shape.

27. (currently amended) The device of claim 25 wherein said upper and lower wall ~~member~~ members have a substantially triangular shape.

28. (new) The device of claim 1, wherein said container is expandable under pressure from the flowable bone filler injected into said container.

29. (new) The device of claim 28, wherein said container is expandable from a first configuration sized for percutaneous introduction through a cannula to a larger second configuration sized to fill the cavity in the vertebral body.

30. (new) The device of claim 1, wherein said fill tube is removably coupled to said container.

31. (new) The device of claim 30, wherein said fill tube includes an area of weakness adjacent said container adapted to break to remove said fill tube from said container.

32. (new) The device of claim 6, wherein said wall defines a plurality of holes symmetrically disposed about said container.

33. (new) The device of claim 6, wherein said wall defines a plurality of holes asymmetrically disposed about said container.